

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dang et al.

Application No: 09/970,283

Filed: October 12, 2001

For: Compositions For Release of  
Radiosensitizers, and Methods of  
Making and Using the Same

Examiner: To Be Assigned

Art Unit: 1614

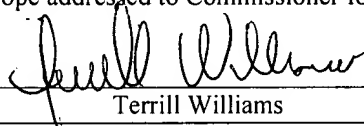
Attorney Document No.: GPT-024.01

(22140-2401)

RECEIVED  
MAY 02 2002  
TECH CENTER 1600/2900  
GPT 1614 #4

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on: April 26, 2002.

  
Terrill Williams

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR 1.97 (b)(3)**

Commissioner for Patents  
Washington, DC 20231

Sir:

In compliance with the requirements of 37 C.F.R. 1.56 and 1.97(b)(3), submitted herewith on Form PTO-1449 is a list of publications known to Applicants and their Attorney/Agent. A copy of each publicly available document is also being submitted herewith. Applicants respectfully request that the Examiner consider the listed publications and indicate they were considered by making appropriate notations on the attached Form 1449.

Applicants have listed dates of publication on the attached PTO-1449 for the cited documents based on information presently available to the undersigned. However, the listed publication dates should not be construed that the information in the cited documents was actually published or otherwise publicly available on the date indicated.

This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that the cited documents are material or constitute "prior art." If the Examiner applies the listed documents as prior art against any claim in the

application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the referenced documents be applied against the claims of the present application.

Applicants have cited for the Examiner's consideration certain issued U.S. patents and co-pending U.S. patent applications that are owned at least in part by the assignee of this application, that describe subject matter related to the present invention. The co-pending applications are listed herewith in accordance with M.P.E.P. 609 III.D which states: "Applicants may wish to list U. S. patent application numbers on other than form PTO-1449 or PTO/SB/08A and 08B format to avoid the application numbers of pending applications being published on the patent. If a citation is not printed on the patent but has been considered by the examiner in accordance with this section, the patented file will reflect that fact as noted in subsection III.C(2) above."

No copies of the co-pending applications have been provided. If the Examiner wishes to have copies of the co-pending applications, Examiner should contact the Attorney of record.

Our Docket No.	S.N.	Filing Date	Status	Title	Document Enclosed
GPT-1.02	09/070,204	4/30/98	Received Notice of Allowance	Biodegradable Compositions Comprising Poly(Cycloaliphatic Phosphorester) Compounds, Articles, and Methods for Using the Same	no
GPT-1.03	10/011,570	12/4/01	Pending: continuation of '204 application	Biodegradable Compositions Comprising Poly(Cycloaliphatic Phosphoester) Compounds, Articles And Methods For Using The Same	no
GPT-2.01	09/901489	7/9/01	Pending	Compositions for Sustained Release of Antineoplastic Taxanes, and Methods of Making and Using the Same	no

RECEIVED  
MAY 02 2002  
TECH CENTER 1600/2900

GPT-5.01	09/053,649	4/2/98	Issued as U.S. Patent No.: 6,166,173	Biodegradable Polymers Chain-Extended By Phosphates, Compositions, Articles And Methods For Making And Using The Same	yes-copy of issued patent
GPT-5.02	09/654,326	9/1/00	Issued as U.S. Patent No.: 6,376,644	Biodegradable Polymers Chain-Extended By Phosphates, Compositions, Articles And Methods For Making And Using The Same	yes--copy of issued patent
GPT-5.03	10/047941	1/15/02	Pending; continuation of the '644 patent	Biodegradable Polymers Chain-Extended By Phosphates, Compositions, Articles And Methods For Making And Using The Same	no
GPT-6.02	09/053,648	4/2/98	Issued as U.S. Patent No. 6,322,797	Biodegradable Terephthalate Polyester-Poly(Phosphate) Polymers, Compositions, Articles And Methods For Making And Using The Same	yes- copy of issued paten
GPT-6.03	09/921297	8/2/01	Pending; continuation of the '797 patent	Biodegradable Terephthalate Polyester-Poly(Phosphate) Polymers, Compositions, Articles And Methods For Making And Using The Same	no
GPT-7.01	09/276,866	3/26/99	Pending	Methods And Compositions For Treating Solid Tumors	no
GPT-8.01	09/999,257	11/15/01	Pending	Compositions for Treatment of Malignant Effusions, and Methods of Making and Using the Same	no
GPT-9.01	09/227,852	1/11/99	Issued as U.S. Patent No. 6,350,464	Methods For Treating Ovarian Cancer, Poly(Phosphoester) Compositions, And Biodegradable Articles For Same	yes--copy of issued patent.
GPT-9.02	09/819,376	3/28/01	Pending; published as US20010038849; continuation of U.S. Application No.: 09/227,852	Methods For Treating Ovarian Cancer, Poly(Phosphoester) Compositions, And Biodegradable Articles For Same	yes - copy of published application
GPT-10.02	09/098,620	6/27/98	Issued as U.S. Patent No.: 6,008,318	Two Stage Polymerization for High Molecular Weight	yes-copy of issued patent
GPT-13.01	09/907,478	7/17/01	Pending	Compositions for Sustained Release of Analgesic Agents, and Methods	no

				of Making and Using Same	
GPT-15.01	09/165,373	10/02/98	Received Notice of Allowance	Biodegradable Terephthalate Polyester-Poly(Phosphite) Compositions, Articles, And Methods Of Using The Same	no
GPT-16.01	09/165375	10/2/98	Issued as U.S. Patent No.: 6,153,212	Biodegradable Terephthalate Polyester-Poly(Phosphonate) Compositions, Articles And Method Of Using The Same	yes-copy of issued patent
GPT-16.02	09/722,848	11/27/00	Pending; continuation of '212 patent	Biodegradable Terephthalate Polyester-Poly(Phosphonate) Compositions, Articles and Method of Using The Same	no
GPT-20.01	08/884,382	6/27/97	Issued as U.S. Patent No.: 6,028,163	High Molecular Weight by Polymerization in Toluene	yes-copy of issued patent
GPT-20.02	09/102,813	6/23/98	Issued as U.S. Patent No.: 5,952,451	High Molecular Weight by Polymerization in Toluene	yes-copy of issued patent
GPT-21.01	09/885,085	6/21/00	Pending	Improved Polymers and Polymerization Processes	no

Under 37 C.F.R. § 1.97 (b)(3), this Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits; therefore, no fee is believed to be due in connection with this submission. However, the Commissioner is authorized to charge any deficiencies or credit any overpayment to/from our **Deposit Order Account, No. 06-1448**.

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (617) 832-1000.

Respectfully Submitted,

Date: April 26, 2002

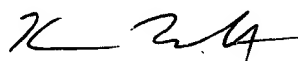
**Customer No.: 29755**

Patent Group

Foley, Hoag & Eliot LLP

One Post Office Square

Boston, MA 02109-2170



Kingsley L. Taft

Reg. No. 43,946

Attorney for Applicants